

Article - Health - General

[\[Previous\]](#)[\[Next\]](#)

§18–202.

(a) In this section, “institution” includes:

- (1) A hospital; and
- (2) A lodging facility.

(b) When the administrative head of an institution has reason to believe that an individual on the premises of the institution has a condition or an infectious or contagious disease, except human immunodeficiency virus or acquired immunodeficiency syndrome, that has been designated by the Secretary as reportable, the administrative head immediately shall submit a report to the health officer for the county where the institution is located.

(c) The report shall:

- (1) Contain the information and be in a format specified or approved by the Secretary; and
- (2) Be transmitted as directed by the Secretary.

(d) (1) Except as provided in paragraphs (2) through (5) of this subsection, all reports and all information collected in connection with a report from a health care provider, the subject of the report, or other individuals who might be affected by the condition or disease in the report are:

- (i) Confidential;
- (ii) Not medical records under Title 4, Subtitle 3 of this article;
- (iii) Not open to public inspection; and
- (iv) Not discoverable or admissible in evidence in any civil or criminal matter except in accordance with a court order sealing the court record.

(2) This subsection does not apply to reports, information, and records otherwise available to the public or required to be publicly disclosed.

(3) This subsection does not apply to or restrict the use or publication of any statistics, information, or other material that summarizes or refers to confidential records in the aggregate, without disclosing the identity of any individual who is the subject of the confidential record.

(4) The Secretary may prepare and disseminate nonindividually identifiable information about one or more cases of a condition or a disease based on any report received under this section, for any purpose consistent with the Secretary's lawful duties as authorized by an act of the Maryland General Assembly.

(5) This subsection does not apply to a disclosure by the Secretary to another governmental agency performing its lawful duties as authorized by an act of the Maryland General Assembly or the United States Congress where the Secretary determines that:

(i) The agency to whom the information is disclosed will maintain the confidentiality of the disclosure; and

(ii) The disclosure is necessary to protect the public health or to prevent the spread of an infectious or contagious disease.

[\[Previous\]](#)[\[Next\]](#)